IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(*Special Original Jurisdiction*)

WEDNESDAY, THE EIGHTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO : 11957 of 2005

Between:

K. Amarnath, S/o. dLate K. Ankineedu, City Civil Court, Hyderabad,

R/o. IC 206, Erramanzil Colony, Hyderabad. **..... PETITIONER**

A N D

The Estate Officer, Hyderabad and Secunderabad, at Khairatabad,

Hyderabad-4. **.....RESPONDENT**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue writ, order or direction, more particularly one in the nature of Writ of Mandamus, directing the action of the respondent in extending the threat for petitioner eviction from the Quarter IC 206, Errum Manzil Colony, Hyderabad is not based on any act or rules relating to the Government Quarters as such it amounts to an arbitrary and so liable to be prevented from taking any further action for petitioner eviction from the quarter is contrary to law and pass such other order or orders.

Counsel for the Petitioner: MR.N.VENKATARAYUDU

Counsel for the Respondent: GP FOR GENERAL ADMINISTRATION

The Court made the following :

O R D E R

This writ petition is filed to issue a writ of mandamus directing the action of the respondent in extending the threat for the eviction of the petitioner from the Quarter No.IC-206 situate at Errum Manzil Colony, Hyderabad is not based on any Act or Rules relating to the Government Quarters and as such it amounts to an arbitrary act and liable to be prevented from taking further action to evict the petitioner from the said quarter is contrary to law.

The main contention of the learned counsel for the petitioner is that the respondent is threatening to cause eviction of the petitioner on the ground that he has sublet the portion allotted to him to a third party and more so when the Officer visited the said quarter the petitioner was not available and therefore the respondent initiated the impugned proceedings.

Taking into consideration the facts and circumstances of the case, for evicting the petitioner, the respondent shall follow the procedure contemplated under law and also Memorandum No.604/Accom.C2/95-3, Government of Andhra Pradesh, General Administration (Accom) Department, dated 26-7-1995 and till such time, the respondent shall not evict the petitioner from the Quarter No.IC-206.

With the above direction, the writ petition is disposed of. No costs.

JUNE 08th, 2005. ----------

I S L. ELIPE DHARMA RAO , J.

To

1. The Estate Officer, Hyderabad & Secunderabad at Khairtabad,Hyderabad-500 004.
2. 2 CD copies
3. One C.C. to Govt.Pleader for Genl.Administration, High Court Buildings, Hyderabad.